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Commission on the Status of Women
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Follow-up to the Fourth World Conference on Women and to the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century": implementation of strategic objectives and action in critical areas of concern and further actions and initiatives: women's economic empowerment in the changing world of work

El Salvador, Georgia,* Israel, Kenya, Panama,* Ukraine,* United States of America* and Uruguay: draft resolution

Preventing and eliminating sexual harassment in the workplace

The Commission on the Status of Women,

Reaffirming the obligation of all Member States to promote and protect all human rights and fundamental freedoms, and reaffirming also that discrimination on the basis of sex is contrary to the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenant on Civil and Political Rights,[2] the International Covenant on Economic, Social and Cultural Rights,[2] the Convention on the Elimination of All Forms of Discrimination against Women,[3] and the Convention on the Rights of the Child and the Optional Protocols thereto,[4]

Reaffirming also the Vienna Declaration and Programme of Action,[5] the Declaration on the Elimination of Violence against Women,[6] the Beijing Declaration

* In accordance with rule 69 of the rules of procedure of the functional commissions of the Economic and Social Council.

[1] General Assembly resolution 217 A (III).

[2] See General Assembly resolution 2200 A (XXI), annex.

[3] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[4] Ibid., vols. 1577, 2171 and 2173, No. 27531; and General Assembly resolution 66/138, annex.

[5] A/CONF.157/24 (Part I), chap. III.

[6] General Assembly resolution 48/104.

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and Platform for Action,[7] the Copenhagen Declaration on Social Development,[8] the Programme of Action of the International Conference on Population and Development,[9] and the outcomes of their review conferences,

Recalling the commitment to eliminate all forms of violence against all women and girls, as set out in the 2030 Agenda for Sustainable Development,[10]

Recognizing that violence against women encompasses, inter alia, sexual harassment in the workplace,

Recognizing also that sexual harassment may amount to discrimination on the basis of sex, reflects and reinforces discriminatory social attitudes and gender stereotypes, is an abuse of human rights and an affront to a worker's dignity and prevents women from making a contribution commensurate with their abilities,

Recognizing further that sexual harassment may be committed by both men and women, against both men and women, at any level of a workplace, bearing in mind that in most situations women and girls are the victims of sexual harassment,

Acknowledging that sexual harassment may be committed against girls working in accordance with national legislation and Member States' relevant obligations under international law, as well as girls working under other circumstances, while condemning child labour in all its forms and reaffirming Member States' obligations to protect girls in accordance with international law,

Acknowledging also that sexual harassment in the workplace may occur both in and outside of a formal or informal workplace and can take various forms,

Concerned about the large number of women worldwide who have reported being sexually harassed in their workplace, and concerned also that, owing to underreporting, the actual number may be much greater,

Underscoring that often shame, stigma, lack of information and awareness, fear of reprisals and negative economic consequences, such as, inter alia, loss of livelihood or reduced household income, prevent many women and, as applicable, girls from reporting or acting as witnesses and from seeking redress and justice in cases of sexual harassment in the workplace,

Bearing in mind that sexual harassment in the workplace and the resulting hostile working environment have a negative impact on women in the enjoyment of their rights and equal opportunities at work, including, inter alia, by hindering their ability to remain and advance in the workplace,

Bearing in mind also that sexual harassment in the workplace may have negative physical and mental health consequences for the victims and may negatively affect their families,

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[7] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[8] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

[9] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[10] General Assembly resolution 70/1.

Reaffirming that women play a vital role as agents of development in society, and recognizing, in this context, that sexual harassment in the workplace impedes the achievement of gender equality and the empowerment of all women and girls and constrains their ability to positively contribute to development,

Stressing the need to fully engage men and boys, as strategic partners and allies in achieving gender equality and the empowerment of women and girls and in preventing and eliminating sexual harassment in the workplace,

Stressing also that employers have the primary responsibility to take measures to prevent sexual harassment in the workplace and to facilitate effective action after sexual harassment has occurred by holding perpetrators to account and providing access to remedies and protection for the victims, bearing in mind that victims of sexual harassment may be subject to further discrimination or reprisals,

Stressing further that Member States have the obligation to promote, protect and respect all human rights and fundamental freedoms for all, including women and girls, and should exercise due diligence by taking measures to prevent, investigate, prosecute and hold to account the perpetrators of sexual harassment in the workplace, and provide for effective access to appropriate remedies for victims,

Highlighting the crucial role that educational and awareness-raising programmes, policies and legislation play in preventing and eliminating sexual harassment against women and girls,

Emphasizing that the lack of, or inadequate, documentation and research on sexual harassment against women and girls, including in and outside of the workplace, impedes efforts to design specific measures, including, where appropriate, policies and legislation to prevent and eliminate this form of violence,

1. *Condemns* sexual harassment in all its forms, especially against women and girls, including in the workplace, and emphasizes the need to take all necessary measures to prevent and eliminate it;

2. *Encourages* Member States to:

(a) Pursue, by effective means, a policy of preventing and eliminating sexual harassment in the workplace, with an emphasis on effective legal, preventive and protective measures for women who are victims of sexual harassment in the workplace or who are at risk of sexual harassment in the workplace;

(b) Take all necessary measures to raise awareness regarding the rights of victims of sexual harassment in the workplace and the means of accessing redress and justice, and to facilitate reporting by victims and witnesses;

(c) Take measures to educate children from a young age regarding the importance of treating all people with dignity and respect and that sexual harassment is an abuse of human rights and offends the dignity of all persons;

(d) Cooperate with civil society, including women's and community-based organizations, feminist groups, women human rights defenders, girls' and youth-led organizations, and unions, in preventing and eliminating sexual harassment, including in the workplace;

(e) Take measures to encourage employers to take steps in order to prevent and address sexual harassment by their employees in and outside of the workplace;

(f) Promote research and collect and analyse data and statistics, disaggregated by sex, age and other relevant characteristics, in order to develop, review and implement policies and programmes at all levels that contribute to preventing and eliminating sexual harassment in the workplace;

3. *Requests* the Secretary-General to submit a report, within existing resources, on preventing and eliminating sexual harassment in the workplace to the Commission on the Status of Women for its review of the theme of "Women's economic empowerment in the changing world of work", using information provided by Member States, United Nations system entities and other relevant stakeholders, including information on the prevalence of sexual harassment in the workplace, its causes and effects, inter alia, the impact on women's participation in the workforce, as well as good practices and recommendations.